

Alpine Amador Butte Calaveras Colusa  
Del Norte El Dorado Glenn Imperial  
Inyo Lake Lassen Madera Mariposa



Merced Modoc Mono Napa Nevada Placer  
Plumas San Benito Shasta Sierra Siskiyou  
Sutter Tehama Trinity Tuolumne Yuba

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March 7, 2011

Delta Stewardship Council  
980 Ninth Street, Suite 1500  
Sacramento, CA 95814  
Sent via E-mail: [deltaplancomments@deltacouncil.ca.gov](mailto:deltaplancomments@deltacouncil.ca.gov)

Re: First Draft of the Delta Plan (dated February 14, 2011)

Dear Chairman Isenberg and Members of the Council:

On behalf of the thirty member counties of the Regional Council of Rural Counties (RCRC) I appreciate the opportunity to submit the following general comments on the First Draft of the Delta Plan dated February 14, 2011. These comments build upon comments previously submitted on the Second Draft Interim Delta Plan and the Notice of Preparation (NOP) for the Delta Plan.

1. RCRC believes that the Delta should be the Delta Stewardship Council's (Council) primary focus.
2. The Council should include the proposed finance plan in the Draft Plan sooner rather than later. The Delta Plan and EIR should include an assessment of the fiscal costs/economic impacts of proposed actions. Utilizing the information developed, the Council should recognize fiscal constraints and develop a realistic Delta Plan i.e. a Delta Plan that can be implemented over time with the resources available.
3. Delta Plan proposed actions should not stray outside of the legal authority specified in the Delta Reform Act of 2009. As noted in previous comments the Council has limited authority outside of the Delta.
4. The Delta Plan should clearly state which actions will be taken utilizing the authority of the Council and which actions it "recommends" be taken under the authority of other state agencies and local governments.
5. The Delta Plan and the EIR must discuss the potential impacts of each alternative on the upstream, in-Delta, and south of the Delta environment.

6. If the Delta Plan includes a discussion on groundwater management it should recognize that groundwater management is best handled on the local level. Additionally, please note that not all groundwater is connected to surface water.
7. Any reference to flow criteria/standards in the Delta Plan should acknowledge the State Water Resource Control Board's authority and existing processes.
8. Any reference to the State Water Board's Delta Flow Criteria in the Delta Plan should recognize its limitations. "Best available science" it is not. RCRC has previously commented on the very limited value of the State Water Board's Delta Flow Criteria. To repeat in part, "Given the unreasonable legislative deadline contained in SB 7x 1 the State Water Resources Control Board's approach was limited to review of instream needs in the Delta ecosystem, specifically fish species and Delta outflows." The Delta Flow Criteria does not consider other public trust resources or a broad range of public interest considerations."
9. Please note that all beneficial uses of water in the state are subject to the reasonable use doctrine and Article X, Section 2 of Constitution.

In conclusion, RCRC looks forward to working with the Council as the Delta Plan progresses. Please feel free to contact me at [kmannion@rcrcnet.org](mailto:kmannion@rcrcnet.org) or (916) 447-4806 with any questions.

Sincerely,

A handwritten signature in black ink, reading "Kathy Mannion". The signature is fluid and cursive, with the first name "Kathy" being more prominent than the last name "Mannion".

Kathy Mannion  
Legislative Advocate